

## 拒絶理由通知書

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| 適用条文     | 第29条第2項         |

この出願は、次の理由によって拒絶をすべきものです。これについて意見がありましたら、この通知書の発送の日から3か月以内に意見書を提出してください。

## 理 由

この出願の下記の請求項に係る発明は、その出願前に日本国内又は外国において、頒布された下記の刊行物に記載された発明又は電気通信回線を通じて公衆に利用可能となった発明に基いて、その出願前にその発明の属する技術の分野における通常の知識を有する者が容易に発明をすることができたものであるから、特許法第29条第2項の規定により特許を受けることができない。

記 (引用文献等については引用文献等一覧参照)

請求項1～12, 13～24, 25～29, 30～39:

下記引用例1には以下の記載がある。

"audio A," "audio B," and "audio C" shown in the drawing, for example, may include different languages, such as English and Japanese, or voices of a male and a female.

"SP A" and "SP B" shown in the drawing are still pictures displayed on the same screen with moving pictures and, for example, may be used as subtitles of different languages. The sub-picture data can also be used as menus, which is more important usage of the sub-picture data. That is, the sub-picture data can be used as a menu picture of an interactive application or a system menu.

The management pack, having 2KB, stores information for managing the VOB Us. The management pack includes Highlight Information which controls displaying of buttons in menu pictures and operations in menus. The Highlight Information, with menu pictures of sub-picture data, achieves the in

teractive operations in units of VOBUs. ' (第10欄第4~22行)

4. 'Fig.4B shows some VOBs which respectively have channels for audio data and sub-picture data.

VOB #1 of the drawing includes three kinds of voices, four kinds of subtitles, and one kind of moving picture. In the drawing:

moving picture data: video 1001, video 1002, ...

English voice: audio A1001, audio A1002, ...

Japanese voice: audio B1001, audio B1002, ...

French voice: audio C1001, audio C1002, ...

English subtitle: SP A1001, SP A1002, ...

English subtitle (for people with hardness of hearing): SP B1001, SP B1002, ...

Japanese subtitle: SP C1001, SP C1002, ...

Japanese subtitle (for people with hardness of hearing): SP D1001, SP D1002, ...

VOB #1 is a part of a TV-on-air version and provides three languages for the voice and two languages for the subtitle. The subtitles for people with hardness of hearing provide descriptions of sounds, such as "somebody is knocking on the door" or "clatter of storm against the window-pane".

Similarly, VOB #2 is a part of a no-cut version and provides English for the voice and subtitle. VOB #2 may be a portion unique to the no-cut version.

VOB #3 provides English and Japanese voices and subtitles as well as one kind of moving picture. VOB #3 may be a part of a theater version, the part having been cut and not included in the TV-on-air version.

VOB #4 provides the same number of kinds of audio data and sub-picture data as VOB #1.

Each part of the drawing indicated as "video 1001," "audio A1001," "audio B1001" and the like includes a plurality of 2KB packs. "video 1001" is, for example, also recognized as a set of packs which make up one GOP. The reason each of such parts is divided into packs is that the size (2KB) of the pack is the same as that of the logical block (sector) which is a minimum unit when data is read from the disc by the disc reproduction apparatus.' (第10欄第49行~第11欄第30行)

'Fig.8 shows the data format of the management pack of Fig.4A. The management pack is comprised of a pack header, a system header, a PCI (Presentation Control Information) packet, and a DSI (Data Search Information) packet. The PCI packet is comprised of a packet header and a data field.

The DSI packet is comprised of a packet header and a data field. The stream IDs of the packet headers of the PCI packet and the DSI packet are both set to "1011 1111," indicating that the pack is private packet 2. The sub-stream ID of the data field of the PCI packet is set to "0000 0000," indicating that the packet is the PCI packet; the sub-stream ID of the data field of the DSI packet is set to "0000 0001," indicating that the packet is the DSI packet.

The DSI packet stores information for managing the synchronisation of the moving picture data with the audio data and information for achieving special reproductions such as forward and rewinding. These kinds of information include a return destination address which is the starting position of the VOB that includes the first portion of the sub-picture data of a menu when the sub-picture data of the menu is recorded over a plurality of VOBs. The return destination address is used to resume a reproduction of an application which has been stopped since the user pressed the MENU key of the remote controller and the video manager jumped to the system menu to change the audio and sub-picture streams. ' (第12欄第37行～第13欄第6行)

'Now, the Highlight Information is described in detail with reference to Fig. 9. Fig. 9 shows the system menu and some images of the title menu. Menu image M101 of the system menu displays three options (0 MOVIE A, 1 MOVIE B, and 2 GAME). The Highlight Information corresponding to menu image 101 includes control information which specifies the number of buttons, the selection color and determination color for each button, the commands to be executed when the buttons are determined, and the like. Other menu images, M102-M108 have the same construction as menu image M101. ' (第13欄第17～28行)

'If the user presses MENU key while the user watches the movie A TV on-air version, as shown in Fig. 30, the disc reproduction apparatus temporarily stops reproducing the TV on-air version and starts reproducing the title menu. With the reproduction of the title menu, the background music for the title menu is reproduced, whatever the audio channel reproduced in the TV on-air version. This is defined in the audio CH table as shown in Fig. 29B (flowchart of Fig. 27). Also, with the reproduction of the title menu, the menu image is reproduced, whatever the sub-picture channel reproduced in the TV on-air version. This is defined in the SPCH table as shown in Fig. 29B (flowchart of Fig. 28).

If the voice or subtitle is changed by the user operation in the title menus the audio or sub-picture logical channel stored in register R8 or R

9 is updated. This is achieved by instruction "SetSTN" as the button command included in the management pack in VOB #5 (see Figs.27 and 28).

The disc reproduction apparatus resumes reproduction of movie A if MENU key is pressed during the reproduction of the title menu. Here, movie A is reproduced with the audio and sub-picture physical channels which correspond to the audio and sub-picture logical channels stored in registers R8 and R9 (see Figs.27 and 28).

In this way, movie A is resumed with the audio and sub-picture physical channels which reflect the user operation on the logical channels in the title menu. If the user does not change the logical channels, movie A is resumed with the same physical channels as those before the pause. This is possible since the audio and sub-picture logical channels are respectively stored in registers R8 and R9.

As is apparent from the above description, it is possible for the present disc reproduction apparatus to properly reproduce the audio and sub-picture physical channels for each PGC when a plurality of PGCs with different numbers of audio and sub-picture logical channels are reproduced in sequence.' (第30欄第26行～第31欄第7行)

との記載がある。

ここで、平成19年11月30日付手続補正書で補正された請求項1に係る発明と下記引用例1記載の発明を比較すると、下記引用例1の "The disc reproduction apparatus resumes reproduction of movie A if MENU key is pressed during the reproduction of the title menu. Here, movie A is reproduced with the audio and sub-picture physical channels which correspond to the audio and sub-picture logical channels stored in registers R8 and R9 (see Figs.27 and 28)." との記載からみて、下記引用例1記載の発明は請求項1に係る発明と同様に「前記メニュードメインの再生動作が実行されている間に前記タイトルドメインの再生動作が再開されたときに復帰するタイトルドメインの位置を指定するための再生制御情報を含む」ものであることは明らかである。

したがって、請求項1に係る発明と下記引用例1記載の発明は、請求項1に係る発明の「再生制御情報」が「第2記録領域のナビゲーション情報」に含まれているのに対し、下記引用例1記載の発明の "audio and sub-picture logical channels" は "registers R8 and R9" に記憶されている点で異なっている。しかし、下記引用例2には、"video object set 80" を記録する領域と "playback control information 102" を含む "control information 78" を記録する領域を含む "disk 10" が記載されており、下記引用例1記載の発明の "audio and sub-picture logical channels" を下記引用例2同様に記録媒体に記録した点に格

別の技術的困難性は認められない。

したがって、平成19年11月30日付手続補正書で補正された請求項1に係る発明は下記引用例1, 2記載の発明に基づき当業者が容易に発明できたものである。

また、請求項1を引用する請求項2～12に係る発明は、上記請求項1に係る発明と同様の理由で、下記引用例1, 2記載の発明に基づき当業者が容易に発明できたものである。

更に、平成19年11月30日付手続補正書で補正された請求項13～24, 25～29, 30～39に係る発明は、上記請求項1に係る発明と同様の理由で、下記引用例1記載の発明に基づき当業者が容易に発明できたものである。

拒絶の理由が新たに発見された場合には拒絶の理由が通知される。

#### 引用文献等一覧

1. 欧州特許出願公開第831647号明細書
2. 欧州特許出願公開第1050880号明細書 ... 1st OA時引用文献, 1と同じ

#### 先行技術文献調査結果の記録

- ・調査した分野 I P C G11B 27/10-27/34  
D B 名
- ・先行技術文献
  - 1, 特開平9-135421号公報
  - 2, 特開平11-96653号公報 ... 1st OA時先行技術文献, 1と同じ
  - 3, 特開平11-161663号公報 ... 1st OA時先行技術文献, 2と同じ
  - 4, 特開平11-213522号公報 ... 1st OA時先行技術文献, 3と同じ
  - 5, 特開2002-112201号公報 ... 1st OA時先行技術文献, 4と同じ
  - 6, 特願2002-288255号(特開2004-127397号) ... 1st OA時先行技術文献, 5と同じ
  - 7, 特許第3199243号公報
  - 8, 特許第3379961号公報
  - 9, 特許第3392838号公報 ... 1st OA時先行技術文献, 6と同じ
  - 10, 特許第3392849号公報 ... 1st OA時先行技術文献, 7と同じ
  - 11, 国際公開第97/38527号パンフレット
  - 12, 国際公開第99/38169号パンフレット ... 1st OA時先行技術文献, 8と同じ
  - 13, 国際公開第2004/32142号パンフレット ... 1st OA時先行技術文献, 9と同じ
  - 14, 欧州特許出願公開第737009号明細書 ... 1st OA時先行技術文献, 11と同じ
  - 15, 欧州特許出願公開第872839号明細書 ... 1st OA時先行技術文献, 10と同じ
  - 16, 米国特許出願公開第2001/36358号明細書

- 17, 米国特許出願公開第2003/147322号明細書
- 18, 米国特許出願公開第2003/161615号明細書
- 19, 米国特許出願公開第2006/110132号明細書 ... 1st OA時先行技術文献 12と同じ
- 20, 米国特許第5999694号明細書
- 21, 米国特許第6532334号明細書 ... 1st OA時先行技術文献, 13と同じ
- 22, 米国特許第6570837号明細書 ... 1st OA時先行技術文献, 14と同じ
- 23, 米国特許第6782192号明細書
- 24, 米国特許第6798981号明細書
- 25, 米国特許第7113694号明細書
- 26, 韓国公開特許第2002-0006273号公報 ... 1st OA時先行技術文献, 15と同じ

この先行技術文献調査結果の記録は拒絶理由を構成するものではありません。

この拒絶理由通知の内容に関するお問い合わせ、または面接のご希望がございましたら下記までご連絡下さい。

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